

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:05CR04-4**

UNITED STATES OF AMERICA)	
)	
v.)	<u>ORDER</u>
)	
HUSKINS, et al,)	
Defendants.)	
_____)	

THIS MATTER is before the Court on Charles Douglas Hughes’s (“Hughes”) Letter seeking clarification of his restitution payment schedule. (Document #174). As part of the judgment against the defendants in this case, this Court held each of the co-defendants jointly and severally liable for restitution in the amount of \$15,641.01. Six of the seven co-defendants were held responsible for the full amount, while the remaining co-defendant was jointly and severally liable only for the amount up to \$3,647.89. In his letter, Hughes requests that this Court issue an Order amending the judgments in this case to hold each of the seven co-defendants individually liable for one-seventh of the total restitution owed.

A sentence that imposes an order of restitution is a final judgment that can only be modified in certain narrowly prescribed instances, such as a material change in economic circumstances or the incorrect calculation of restitution at the time of sentencing. 18 U.S.C. § 3664(o). Hughes situation does not fall within any of these narrow exceptions.¹ Thus, this Court is unable to find a reason for altering the judgments in this case.

¹Hughes’s chief complaint is that payment by the each of the defendants up to this point has not been uniform.

WHEREFORE, Hughes's request to amend the restitution payment schedule is **DENIED**.

Signed: October 16, 2008

A handwritten signature in black ink, reading "Richard L. Voorhees", written over a horizontal line.

Richard L. Voorhees
United States District Judge

